

## Message Text

CONFIDENTIAL

PAGE 01 KATHMA 01472 071055Z  
ACTION NEA-10

INFO OCT-01 ISO-00 DHA-02 CIAE-00 DODE-00 PM-04 H-01  
INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02  
SS-15 USIA-06 IO-13 /071 W  
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R 071020Z APR 77  
FM AMEMBASSY KATHMANDU  
TO SECSTATE WASHDC 7940  
INFO AMEMBASSY NEW DELHI  
AMCONSUL CALCUTTA

C O N F I D E N T I A L KATHMANDU 1472

E.O. 11652 GDS  
TAGS: PINS, PINT, PFOR, IN, NP  
SUBJ: INDIA AND KOIRALA ARREST

REF: NEW DELHI 4821

1. ACCORDING TO CURRENT RUMORS IN KATHMANDU INDIAN PRIME MINISTER DESAI DID RAISE THE ISSUE OF HUMAN RIGHTS WITH KING BIRENDRA DURING THE LATTER'S VISIT TO INDIA LAST WEEK. DESAI IS REPORTED TO HAVE ADOPTED THE ROLE OF ELDER STATESMAN ADVISING THE YOUNG MONARCH THAT "IT WAS NOT POSSIBLE TO RUEL THROUGHOUT BAYONET" IN AN ERA IN WHICH HUMAN RIGHTS WERE COMING TO THE FOREFRONT OF INTERNATIONAL POLITICS. INDIA, WAS CONCERNED AT THE POSSIBILITY OF A "POPULAR MOVEMENT" IN NEPAL WHICH WOULD UNDERMINE STABILITY IN THE AREA. WHAT, HE ASKED RHETORICALLY, WAS INDIA TO DO IN SUCH CIRCUMSTANCES?

2. WE HAVE SOME DOUBTS WHETHER DESAI WOULD USE THE OPPORTUNITY OF HIS FIRST LECTURE TO NEPALESE EMBASSY OFFICIAL IN NEW DELHI, HE DID NOT (REFTEO). HOWEVER, THERE IS OBVIOUS CONCERN IN KATHMANDU ON HOW TO PROCEED WITH TRIAL OF CONGRESS PARTY LEADER B.P. KOIRALA,  
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PAGE 02 KATHMA 01472 071055Z

GIVEN KOIRALA'S CLOSE ASSOCIATION WITH THE CURRENT INDIAN LEADERSHIP. WE NOTE THAT THERE HAVE BEEN RENEWED CALLS FOR KOIRALA'S RELEASE BY INDIAN POLITICAL GROUPS. THE APRIL 3 EDITION OF THE INDIAN EXPRESS, BANNED IN NEPAL, IS REPORTED TO HAVE CARRIED A STORY OF A DEMONSTRATION IN FRONT OF THE NEPALI EMBASSY IN DELHI URGING THE RELEASE OF ALL POLITICAL PRISONERS.

3. THE KING AND HIS CLOSE ADVISORS WOULD APPEAR TO BE CAUGHT IN THE DILEMA OF BALANCING THE DESIRE FOR INTERNAL DISCIPLINE AGAINST A NEED TO ACCOMMODATE INDIAN INTERESTS. THEY ARE PROBABLY CONSIDERING A NUMBER OF OPTIONS. IN THE FIRST INSTANCE THEY CAN BRING KOIRALA TO A QUICK TRIAL AND, ASSUMING THAT SUFFICIENT EVIDENCE EXISTS OR COULD BE CONCOCTED, CONVICT HIM OF CRIMINAL CONSPIRACY TO KIDNAP, HIJACK AN AIRCRAFT, AND ATTEMPTED MURDER OF GOVERNMENT OFFICIALS. WE WOULD ASSUME THAT POLITICAL CONSERVATIVES, INCLUDING PRIME MINISTER GIRI WOULD BE READ ALSO A REJECTION OF OUTSIDE INTERFERENCE AND AN APPEAL TO ANTI-INDIAN SENTIMENT IN THE COUNTRY. THEY WOULD ARGUE THAT A QUICK CONVICTION WOULD SHORE UP THE CURRENT PANCHAYAT SYSTEM BY DEMONSTRATING FIRM ACTION BY THE GOVERNMENT AND THAT EVEN INDIA WOULD HAVE TO FORGET THE ISSUE ONCE KOIRALA HAD BEEN PROVED A "COMMON CRIMINAL".

4. MORE LIBERAL ELEMENTS--PROBABLY INCLUDING PALACE ADVISORS SUCH AS CHIRAN THAPA AND NARAYAN PRASAD SHRESTHA--COULD BE EXPECTED TO ARGUE AGAINST ANY PRECIPITIOUS ACTION. THEY WOULD PROBABLY URGE THAT THE PRE-TRIAL INVESTIGATION CONTINUE SLOWLY IN ORDER TO PROVIDE TIME TO MAKE A MORE MEASURED DECISION. SOME NEPALESE HAVE SAID THAT KOIRALA COULD SERVE AS A "BARGAINING CHIP" IN IMPORTANT NEGOTIATIONS WITH INDIA, INCLUDING TRADE AND TRANSIT, AS WELL AS A RENEGOTIATION OF THE PRESENT PERMIT

CONFIDENTIAL

PAGE 03 KATHMA 01472 071055Z

SYSTEM REQUIRED FOR TRAVEL TO SOME PARTS OF INDIA.

5. LEFT-WING SYMPATHETIC TO THE CONGRESS PARTY, SUCH AS FORMER MINISTER TANKA PRASAD ACHARYA, ARE URGING THE KING TO REOPEN NEGOTIATIONS WITH CONSERVATIVE ELEMENTS OF THE CONGRESS PARTY HEADED BY SUBARNA S.J.B. RANA, AIMED AT KOIRALA'S ULTIMATE RELEASE. THE KING, THEY SAY, COULD DEMONSTRATE HIS MAGANIMITY EITHER BY UNILATERALLY RELEASING KOIRALA OR PARDONING HIM AFTER A TRIAL WHICH "PROVED" HIS GUILT. SUCH A GESTURE WOULD AMELIORATE NEPAL'S RELATIONS WITH THE NEW INDIAN GOVERNMENT AND WOULD GAIN HIM A CONSIDERABLE MEASURE OF SUPPORT FROM LEFT-WING POLITICAL ELEMENTS IN NEPAL. THE DANGERS INHERENT IN THAT ARRANGEMENT ARE THAT KOIRALA WILL PROBABLY REFUSE ANY ACCOMMODATION WHICH WOULD LIMIT HIS POLITICAL ACTIVITY. A DECISION TO RELEASE KOIRALA WOULD BE INTERPRETED BY SOME AS A SIGN OF PALACE WEAKNESS AND WOULD PROVIDE CRITICS

OF THE PRESENT ELECTION SYSTEM CONSIDERABLE MORAL  
SANCTION. PALACE CONSERVATIVES WOULD ARGUE STRONGLY,  
AS THEY DID IN 1975, THAT ONCE THE DOOR IS OPENED TOWARD  
REFORM THERE IS NO WAY TO PREVENT IT FROM DEVELOPING  
INTO A DIRECT CONFRONTATION WITH THE KING.

6. WE MAY HAVE SOME INDICATION OF HOW THE  
PALACE IS LEANING ON PARIL 13, NEPALI NEW YORAR'S DAY,  
WHEN IT IS RUMORED THE KING WILL ANNOUNCE GOVERNMENT  
CHANGES. IF GIRI IS DROPPED AS PRIME MINISTER ONE  
OF THE MORE ARTICULATE CONSERVATIVES WILL BE REMOVED  
FROM THE SCENE, PERHAPS SIGNALING A WILLINGNESS TO  
NEGOTIATE THE KOIRALA QUESTION. HOWEVER, THE JEY  
ELEMENT WOULD APPEAR TO BE THE GOI ATTITUDE SINCE  
THERE IS LITTLE DOUBT THAT INDIA COULD BRING SUFFICIENT  
PRESSURE TO BEAR TO EFFECT KOIRALA'S RELEASE, ALBEIT  
AT THE EXPENSE OF A DETERIORATION IN BILATERAL RELATIONS.  
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PAGE 04 KATHMA 01472 071055Z

MAYTAG

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NNN

## Message Attributes

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